

HOUSE BILL No. 1199

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-23.6.

Synopsis: Mental health professionals. Makes changes to the contact hours required for licensure in marriage and family therapy services. Removes references in behavioral health and human services licensing law to certified health care professionals. Specifies that the statutes concerning behavioral health and human services professionals may not be construed to limit addiction counseling performed by certain students, interns, and trainees studying in certain institutions. Requires an individual who is licensed as an addiction counselor or a clinical addiction counselor to: (1) display a counselor license or a clear copy of a counselor license at each location where the addiction counselor or clinical addiction counselor regularly practices; and (2) include certain information on the individual's professional marketing material. Changes certain educational and clinical experience requirements for a licensed addiction counselor and a licensed clinical addiction counselor.

Effective: July 1, 2019.

Frizzell, Bacon

January 10, 2019, read first time and referred to Committee on Public Health.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1199

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-23.6-1-9.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 9.5. "Relational" means services**
4 **that a marriage and family therapist or marriage and family**
5 **therapist associate delivers at the same time and in the same**
6 **location to at least two (2) individuals who share a relationship**
7 **beyond the therapy session.**

8 SECTION 2. IC 25-23.6-3-2, AS AMENDED BY P.L.134-2008,
9 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2019]: Sec. 2. (a) This article may not be construed to limit
11 the marriage and family therapy services performed by a person who
12 does not use a title specified in this article and who is one (1) of the
13 following:

- 14 (1) A licensed ~~or certified~~ health care professional acting within
15 the scope of the person's license. ~~or certificate.~~
16 (2) A student, an intern, or a trainee pursuing a course of study in
17 medicine or psychology or a course of study to gain licensure



under this article in an accredited eligible postsecondary educational institution or training institution if:

- (A) the activities are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
- (B) the student uses a title that contains the term "intern" or "trainee".

(3) Not a resident of Indiana if the person performed services in Indiana for not more than five (5) days in any one (1) month and not more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee of or a volunteer for a nonprofit corporation or an organization performing charitable, religious, or educational functions, providing pastoral counseling or other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

SECTION 3. IC 25-23.6-4-2, AS AMENDED BY P.L.192-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) This article may not be construed to limit the social work or clinical social work services performed by a person who does not use a title specified in this article and who is one (1) of the following:

- (1) A licensed ~~or certified~~ health care professional acting within the scope of the person's license. ~~or certificate.~~
- (2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution accredited by the Council on Social Work Education, or a graduate accumulating experience required for licensure if:
 - (A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
 - (B) the student or graduate uses a title that contains the term



- 1 "intern", "student", or "trainee".
- 2 (3) Not a resident of Indiana if the person performed social work
- 3 in Indiana for not more than five (5) days in any one (1) month or
- 4 more than fifteen (15) days in any one (1) calendar year and the
- 5 person is authorized to perform such services under the laws of
- 6 the state or country in which the person resides.
- 7 (4) A rabbi, priest, Christian Science practitioner, minister, or
- 8 other member of the clergy.
- 9 (5) An employee or a volunteer for an organization performing
- 10 charitable, religious, or educational functions, providing pastoral
- 11 counseling, or other assistance.
- 12 (6) A person who provides school counseling.
- 13 (7) A governmental employee (as defined in IC 25-23.6-1-3.9).
- 14 (8) An individual providing services under a contract with the
- 15 department of child services who:
- 16 (A) is employed by an organization that is nationally
- 17 accredited and in good standing by the Joint Commission,
- 18 Council on Accreditation, or the Commission on Accreditation
- 19 of Rehabilitation Facilities;
- 20 (B) is directly supervised by a licensed individual who is:
- 21 (i) licensed under IC 25-23.6-2, as a social worker, clinical
- 22 social worker, mental health counselor, mental health
- 23 counselor associate, marriage and family therapist, or
- 24 marriage and family therapist associate, and acting within
- 25 the scope of the individual's license;
- 26 (ii) licensed as a psychologist under IC 25-33 and acting
- 27 within the scope of the individual's license; or
- 28 (iii) licensed as a physician under IC 25-22.5 who is actively
- 29 engaged in the practice of psychiatry and acting within the
- 30 scope of the individual's license; and
- 31 (C) meets any additional requirements established by the
- 32 department of child services.
- 33 (b) Nothing in this section prohibits a person referred to in
- 34 subsection (a) from qualifying for licensure under this article.
- 35 SECTION 4. IC 25-23.6-4.5-2, AS AMENDED BY P.L.2-2007,
- 36 SECTION 332, IS AMENDED TO READ AS FOLLOWS
- 37 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) This article may not be
- 38 construed to limit the mental health counseling services performed by
- 39 a person who does not use a title specified in this article and who is one
- 40 (1) of the following:
- 41 (1) A licensed ~~or certified~~ health care professional acting within
- 42 the scope of the person's license. ~~or certificate.~~



(2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution, or is a graduate accumulating experience required for licensure if:

(A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the student or graduate uses a title that contains the term "intern" or "trainee".

(3) Not a resident of Indiana if the person performed the services in Indiana for not more than five (5) days in any one (1) month or fifteen (15) days within any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for an organization performing charitable, religious, or educational functions, providing pastoral counseling, or providing other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.

(7) A governmental employee who remains in the same job classification or job family of that job classification.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

SECTION 5. IC 25-23.6-8-2.5, AS AMENDED BY P.L.160-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.5. (a) An applicant for a license as a marriage and family therapist under section 1 of this chapter or an applicant for a license as a marriage and family therapist associate under section 1.5 of this chapter must complete the following educational requirements:

(1) Except as provided in subsection (b), complete twenty-seven (27) semester hours or forty-one (41) quarter hours of graduate course work that must include graduate level course credits with material in at least the following content areas:

(A) Theoretical foundations of marriage and family therapy.

(B) Major models of marriage and family therapy.

(C) Individual development.



- 1 (D) Family development and family relationships.
- 2 (E) Clinical problems.
- 3 (F) Collaboration with other disciplines.
- 4 (G) Sexuality.
- 5 (H) Gender and sexual orientation.
- 6 (I) Issues of ethnicity, race, socioeconomic status, and culture.
- 7 (J) Therapy techniques.
- 8 (K) Behavioral research that focuses on the interpretation and
- 9 application of research data as it applies to clinical practice.
- 10 The content areas may be combined into any one (1) graduate
- 11 level course, if the applicant can prove that the course work was
- 12 devoted to each content area.
- 13 (2) Not less than one (1) graduate level course of two (2) semester
- 14 hours or three (3) quarter hours in the following areas:
- 15 (A) Legal, ethical, and professional standards issues in the
- 16 practice of marriage and family therapy or an equivalent
- 17 course approved by the board.
- 18 (B) Appraisal and assessment for individual or interpersonal
- 19 disorder or dysfunction.
- 20 (3) At least one (1) supervised clinical practicum, internship, or
- 21 field experience in a marriage and family counseling setting that
- 22 meets the following requirements:
- 23 (A) The applicant provided five hundred (500) hours of
- 24 marriage and family therapy services, including at least four
- 25 hundred (400) face to face client contact hours, **of which at**
- 26 **least two hundred (200) hours must be relational**, under the
- 27 supervision of a licensed marriage and family therapist who
- 28 has at least five (5) years of experience or a qualified
- 29 supervisor approved by the board.
- 30 (B) The applicant received one hundred (100) hours of
- 31 supervision from a licensed marriage and family therapist who
- 32 has at least five (5) years experience as a qualified supervisor.
- 33 The requirements under clauses (A) and (B) may be met by a
- 34 supervised practice experience that took place away from an
- 35 institution of higher education but that is certified by an official
- 36 of the eligible postsecondary educational institution as being
- 37 equivalent to a graduate level practicum or internship program at
- 38 an institution accredited by an accrediting agency approved by the
- 39 United States Department of Education Commission on
- 40 Recognition of Postsecondary Education, the Association of
- 41 Universities and Colleges of Canada, or the Commission on
- 42 Accreditation for Marriage and Family Therapy Education.



(b) The following graduate work may not be used to satisfy the content area requirements under subsection (a):

(1) Thesis or dissertation work.

(2) Practicums, internships, or fieldwork.

SECTION 6. IC 25-23.6-10.1-2, AS AMENDED BY P.L.161-2018, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) This article may not be construed to limit addiction counselor or clinical addiction counselor services performed by a person who does not use a title specified in this article and who is any of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate, including a:

(A) social worker licensed under this article;

(B) clinical social worker licensed under this article;

(C) marriage and family therapist licensed under this article;

(D) mental health counselor licensed under this article;

(E) psychologist licensed under IC 25-33;

(F) physician licensed under IC 25-22.5; or

(G) nurse licensed under IC 25-23;

and who has training and experience in addiction counseling.

(2) A student, an intern, or a trainee pursuing a course of study in medicine or psychology or a course of study to gain licensure under this article **as follows:**

(A) In an accredited eligible postsecondary educational institution or training institution ~~accredited~~ **recognized by the Council for Higher Education Accreditation (CHEA) for undergraduate and graduate institutions. Accreditation by the Council for Accreditation of Counseling and Related Educational Programs or a substantially equivalent accreditation program approved by the board is required for graduate institutions.**

(B) Through a National Association of Alcohol and Drug Abuse Counselors approved academic education provider; or

(C) By a graduate accumulating experience required for licensure if:

(i) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(ii) the student or graduate uses a title that contains the term "intern", "student", or "trainee".

(3) A nonresident of Indiana if the person performs addiction counseling or therapy in Indiana for not more than:



- 1 (A) five (5) days in any one (1) month; or
- 2 (B) fifteen (15) days in any one (1) calendar year;
- 3 and the person is authorized to perform such services under the
- 4 laws of the state or country in which the person resides.
- 5 (4) A rabbi, priest, Christian Science practitioner, minister, or
- 6 other member of the clergy.
- 7 (5) An employee or a volunteer for an organization performing
- 8 charitable, religious, or educational functions or providing
- 9 pastoral counseling or other assistance.
- 10 (6) A person who provides school counseling.
- 11 (7) A governmental employee who remains in the same job
- 12 classification or job family of that job classification.
- 13 (8) An employee of a court alcohol and drug program, a drug
- 14 court, or a reentry court certified by the office of judicial
- 15 administration when performing assigned job duties.
- 16 (9) A probation officer when performing assigned job duties.
- 17 (b) This section does not prohibit a person referred to in subsection
- 18 (a) from qualifying for licensure under this article.

19 SECTION 7. IC 25-23.6-10.1-4.5 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2019]: **Sec. 4.5. An individual who is licensed**
 22 **as an addiction counselor or a clinical addiction counselor shall:**

- 23 (1) display the license or a clear copy of the license at each
- 24 location where the addiction counselor or clinical addiction
- 25 counselor regularly practices; and
- 26 (2) include the words "licensed addiction counselor" or
- 27 "licensed clinical addiction counselor" or the letters "LAC"
- 28 or "LCAC" on all promotional materials, including business
- 29 cards, brochures, stationery, advertisements, and signs that
- 30 name the individual.

31 SECTION 8. IC 25-23.6-10.5-4, AS ADDED BY P.L.122-2009,
 32 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 4. (a) An applicant under section 2 of this chapter
 34 must have a master's or doctor's degree in addiction counseling,
 35 addiction therapy, or a related area as determined by the board from an
 36 eligible postsecondary educational institution that meets the following
 37 requirements:

- 38 (1) If the institution is located in the United States or a territory of
- 39 the United States, at the time of the applicant's graduation the
- 40 institution was accredited by a regional accrediting body
- 41 recognized by the ~~Commission on Recognition of Postsecondary~~
- 42 ~~Accreditation.~~ **Council for Higher Education Accreditation**



(CHEA).

(2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.

(3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:

(A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and

(B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(b) An applicant under section 2 of this chapter who has a master's or doctor's degree from a program that did not emphasize addiction counseling may complete the course work requirement from an institution that is:

(1) accredited by the Council for Accreditation of Counseling and Related Educational Programs;

(2) recognized by the National Association of Alcohol and Drug Abuse Counselors;

(3) recognized by the International Certification and Reciprocity Consortium;

(4) accredited by the Commission on Accreditation of Marriage and Family Therapy Education;

(5) accredited by the American Psychological Association's Commission on Accreditation; or

(6) accredited by the Council on Social Work Education;

(7) accredited by the National Addiction Studies Accreditation Commission; or

(8) approved by the board as a substantially equivalent program.

SECTION 9. IC 25-23.6-10.5-5, AS ADDED BY P.L.122-2009, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) An applicant under section 1 of this chapter must complete the following educational requirements:

(1) Forty (40) semester hours or sixty (60) quarter hours of course work from an eligible postsecondary educational institution that includes the following content areas:

(A) Addictions theory.

(B) Psychoactive drugs.



- 1 (C) Addictions counseling skills.
- 2 (D) Theories of personality.
- 3 (E) Developmental psychology.
- 4 (F) Abnormal psychology.
- 5 (G) ~~Treatment planning.~~ **Group work.**
- 6 (H) Cultural competency.
- 7 (I) Ethics and professional development.
- 8 (J) Family education.
- 9 (K) Areas of content as approved by the board.
- 10 (2) At least one (1) supervised practicum, internship, or field
- 11 experience in an addiction counseling setting that requires the
- 12 applicant to provide at least three hundred fifty (350) hours of
- 13 addiction counseling services.
- 14 (b) The content areas under subsection (a)(1) may be combined into
- 15 any one (1) college level course if the applicant can prove that the
- 16 course work was devoted to each content area listed in subsection
- 17 (a)(1).
- 18 SECTION 10. IC 25-23.6-10.5-6, AS ADDED BY P.L.122-2009,
- 19 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2019]: Sec. 6. (a) An applicant under section 2 of this chapter
- 21 must complete the following educational requirements:
- 22 (1) Twenty-seven (27) semester hours or forty-one (41) quarter
- 23 hours of graduate course work that must include graduate level
- 24 course credits with material in at least the following content areas:
- 25 (A) Addiction counseling theories and techniques.
- 26 (B) ~~Clinical problems.~~ **Foundations of addiction counseling.**
- 27 (C) Psychopharmacology.
- 28 (D) Psychopathology.
- 29 (E) Clinical appraisal and assessment.
- 30 (F) Theory and practice of group addiction counseling.
- 31 (G) Counseling addicted family systems.
- 32 (H) Multicultural counseling.
- 33 (I) Research methods in addictions.
- 34 (J) Areas of content as approved by the board.
- 35 (2) At least one (1) graduate level course of two (2) semester
- 36 hours or three (3) quarter hours in the following areas:
- 37 (A) Legal, ethical, and professional standards issues in the
- 38 practice of addiction counseling and therapy or an equivalent
- 39 course approved by the board.
- 40 (B) Appraisal and assessment for individual or interpersonal
- 41 disorder or dysfunction.
- 42 (3) At least one (1) supervised clinical practicum, internship, or



1 field experience in an addiction counseling setting that requires
2 the applicant to provide seven hundred (700) hours of clinical
3 addiction counseling services and that must include the following:

4 (A) Two hundred eighty (280) face to face client contact hours
5 of addiction counseling services under the supervision of a
6 licensed clinical addiction counselor who has at least five (5)
7 years of experience or a qualified supervisor approved by the
8 board.

9 (B) One hundred ~~five (105)~~ **(100)** hours of supervision from a
10 licensed clinical addiction counselor who has at least five (5)
11 years experience as a qualified supervisor approved by the
12 board.

13 (4) Any qualifications established by the board under subsection
14 (c).

15 (b) The content areas under subsection (a)(1) may be combined into
16 any one (1) graduate level course if the applicant can prove that the
17 course work was devoted to each content area.

18 (c) The board shall adopt rules to establish any additional
19 educational or clinical qualifications as specified by the Council for
20 Accreditation of Counseling and Related Educational Programs or a
21 successor organization.

